

Development (1936) Department.

Mc **SERIES.**

G.O. No.

1123

DATED

11-7-36

[Despatch Abstract.]

petitions from M. J. Mohammad Sahab
against:- disallowance of Travelling Allowance
and pay — 54 —

Chief Sect

2

Dec. 1081-1

33-86

The Chief Conservator of Forests,
Chepauk Madras,
Madras.

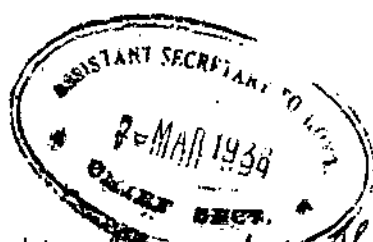
Posting of anti-protection
obtainers for having
despatches this.
M. J. Mohamud Salu
Mullu 28/2/36.



Through

The Forest Range Officer, North Range
and

District Forest Officer, Mangalore North
Mangalore



I the appellant M. J. Mohamud Salu
Ex. Forest Guard Shankaramanayan Range
Mangalore North Division, residing at Baile
Karkal Taluk, South Kanara District.
Date. 28/2/1936

Most Respectfully Sheweth.

On 15. 2. 1936 and 18. 2. 1936 I received
your office proceeding L. No. M. 9566-235 of 27th January 1936
and order L. No. M. 9567-235 of 3rd February 1936 passed on my
humble appeals of 12. 10. 1935 in respect of the mileage J. A. and
D. A. tickets from Karkal to Mangalore to appear before the District
medical Officer, under the order of the District Forest Officer, Mangalore
North Division, vide memo ref 1912-233 of 21. 12. 1933 and pages 3-5-4.
The Chief Conservator of Forests Chepauk Madras, without judging
the facts, and assigning any reasons, states no appeal lies.
Vide his proceeding L. No. M. 9566-235 of 27th January 1936 and
vide his order L. No. M. 9567-235 of 3rd February 1936, stating that
he has no reason to interfere, which is grossly unjust, unfounded, and
unsustainable on the basis of grounds or connected facts.

2. The arch unwillingness of the Chief Conservator of Forests Chepauk
Madras, vide his proceeding L. No. M. 9566-235 of 27th January
1936, and order L. No. M. 9567-235 of 3rd February 1936, is
that I should not approach to Government of Madras for
redress my humble poor grievances. If the Chief Conservator
of Forests has gone really through the Memo, and judged the facts
keenly, in order to pass legal proceedings, he would have not
stated that no appeal lies, as he has no reason to interfere which
is unbearable and gives agony.

3. It is not known, and also strange to see, under what
grounds and reasons, the Chief Conservator of Forests states in his
proceeding L. No. M. 9566-235 of 27th January 1936, and order L. No.
M. 9567-235 of 3rd February 1936, that no appeal lies, and also he
has no reason to interfere. It is because, the Chief Conservator of
Forests is well aware that I have received definite orders from
His most Excellent Governor in Council Madras via

vide endorsement no. 5339-1-35-1-17th December 1935 that
I should approach to Government for redress my grievances
and further my three appeals have already been submitted
to Government of Madras through the District Court Office
Mangalam North Division with Connect's records on 20.12.1935.

(P)

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4. That, this method of disposal of my appeals before
legally aggrieved party, for redress my grievances is
not only highly unconstitutional, but is against the
principles of jurisprudence and natural justice. —

5. I dare say, that my case will not be considered
favorably, in view of justice, with Connect's records
and evidence, unless I approach to Government
of Madras for redress my grievances. Therefore my
humble appeals in these respects have been submitted
direct to Government of Madras. A true copy of this
is also submitted to Government of Madras for
information, regarding the illegality of the Chief
Conservation of Forests Chippur Madras based on the
humble appeals of 12.10.1935.

M. J. Mohammed Sahib

Appellant.

U 28/2/1936.

True copy to Government of Madras for information.

M. J. Mohammed Sahib

Appellant. U 28/2/1936.



Posting certificate
obtained for having
despatches this
M. J. Mohamud Sahib
Appellant
28/2/1936.

His Excellency the Governor
Council Madras,
Madras.

Through

The District Range Officer North
and
District Forest Officer Mangalore
North Division,
Mangalore.



I, the appellant M. J. Mohamud
Sahib Esq. District Range Officer
Range Mangalore North Division residing
at Bailur, Karikal Taluk South Kanara District.
Dated 28/2/1936

I most humbly beg to state that I received

- (R) On 21.2.1936 by registered post, the copy of G. O. No. 118/168 Development
Department of 18 February 1936, in which His Excellency the
Governor in Council Madras declines to interfere on
behalf of memorialist. Communicated by the Chief Conservator
of Forests L. No. 9568-235 of 14 February 1936. As I did not
know, my appeals were addressed to Private Secretary to
His Excellency the Governor in Council Madras, and now they
are submitted to Government of Madras direct; and also
A through the District Forest Officer Mangalore North, in obedience
P to Development Department endorsement order No. 5339-1354
of 7th December 1935 in which His Excellency the Governor
in Council Madras directs the appellant at the time
shown approach to Government for redress, for which
I most humbly beg to request that the Government of
Madras may be pleased to pass legal orders in view of
positive facts and evidence standing on records. —

M. J. Mohamud Sahib
Appellant of 28/2/1936

Copy submitted to Government of Madras direct.

M. J. Mohamud Sahib
Appellant of 28/2/1936.

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Rev. 1083-1
3-3-86



The Government of Madras
Madras.

P. S.

Porting certificate
is obtained for
having despatches
this.
M. Y. Muhammad Sahib
Appellant
of 28-2-1936.

M. Y. Muhammad Sahib, Esq. Forest Guard
Shankaranarayan Range, Mangalam North
Division, residing at Bailur Kasaba.
Bailur branch Post Office Kankal Taluk, S.K. } Appellant

Dated 28-2-1936

Subject

Appeal against the order memo ref A.1.191.
233 of 21.12.1933 memo ref A.1.1912-233 of 6.1.1934
memo ref A.1.1912-233 of 11th May 1934, ref A.1.
no 2276-234 of 25th December 1934, memo ref A.1.
375-235 of 28.2.1935 of the District Forest Officer
Mangalam North Division, no. A-2131-235 of 27th
September 1935 of the Conservator of Forests, and L.
no 9566-235 of 27th January 1936 of the Chief Conservator
of Forests Madras are enclosed herewith for a kind
perusal in original.



The appellant above named
most humbly begs to submit as follows.

That the appellant begs to submit
that he had fallen ill, on account of dyspepsia and
nervous debility. The appellant was forced by his ill
health to submit his first petition for 7 days Casual
leave vide his report book page no 7 of 23.10.1933
to the Range Officer Mangalam North, from where he
was granted vide District Forest Officer's N.O. 333-C.2 of
25.10.1933. During the leave, the appellant received
District Forest Officer's Proceedings ref A.1.968-233 of 15
October 1933, of his reversion to Forest Guard 1st grade
Forest, but the appellant did not recover his ill
health, and the appellant in obedience to the District
Forest Officer's Proceedings mentioned above, handed over
his records and articles etc. of Forest's Charges which
were in his possession to the Range Officer in person
on 31.10.1933. The appellant also handed over his
petition for one month's leave, in continuation
his 1st petition report book page no 7 of 23.10.1933
on that day in person, and the leave as prayed
was sanctioned on full average pay, vide District
Forest Officer's ref A.1.1912-233 of 8.11.1933, from 1st
November 1933. During this period of the leave, the

the appellant did not recover his ill health. Completely
the appellant on 30. 11. 1933 submitted to Shankaranarayana
Range Officer his medical sick certificate, regarding his
ill health, duly obtained by the Honorary Assistant
in charge of local fund dispensary at Karkal on 29. 11. 33
under whom the appellant was undergoing treatment.

2. That the appellant begs to submit, the leave
prayed for, by the appellant vide his petition of 30. 11. 1933
was not sanctioned, on the strength of the medical sick
certificate of 29. 11. 1933 obtained by the Honorary Assistant
in charge of the local fund dispensary at Karkal, but the
appellant was directed to appear before the District Medical
Officer at Mangalore, for examination regarding the extension
of leave to be granted vide District Forest Officer's memo ref
A. 1. 1912-233 of 21. 12. 1933. Then the appellant submitted
his petition ref. no. 2 of 31. 12. 1933, to the District Forest
Officer Mangalore North through the Range Officer Shankaranarayana
regarding the appellant's weakness and inability to travel
from Karkal to Mangalore as he was under treatment.
The appellant received District Forest Officer's memo ref A. 1.
1912-233 of 6. 1. 1934, for the production of the medical certificate
from the Medical Officer at Karkal, regarding the appellant's
unfitness to travel. This is quite unjust, unsustainable
and against to the order of Government for directing the
appellant to appear before the District Medical Officer
for examination, regarding the extension leave to be granted
when the appellant has already produced the medical
sick certificate of 29. 11. 1933, from the Honorary Assistant
in charge of the local fund dispensary at Karkal, vide his
petition of 30. 11. 1933.

3. That the appellant begs to submit, he on the
receipt of the District Forest Officer's memo ref A. 1. 1912-233
of 6. 1. 1934, the appellant submitted his petition ref. no. 6
of 17. 1. 1934, to the District Forest Officer Mangalore North, through
Range Officer Shankaranarayana. The Medical Officer at Karkal
may kindly be asked to examine the appellant at his home
near Jodh Marga at Karkal as the appellant was bedridden.
To this effect no order was received till 2. 2. 1934 and the appellant
was fit to travel from Karkal to Mangalore to appear before
the District Medical Officer as already ordered by the District
Forest Officer vide memo ref A. 1. 1912-233 of 21. 12. 1933. The
appellant on the submission of his petition ref. no. 9 of 2. 2. 1934
to the Range Officer Shankaranarayana, marched to Mangalore, appeared
before the District Medical Officer and District Forest Officer
on 3. 2. 1934, as per the appellant's petition ref. no. 10 of
4. 2. 1934. His leave on medical sick certificate of 29. 11. 1933
was sanctioned vide District Forest Officer's ref A. 1. 1912-
233 of 16. 2. 1934, under service order no 17 of 1934, after
the appellant joined service on 1. 1. 1934.

4. That the appellant begs to submit he joined the duty at 'Shankaranarayana on 13. 2. 1934, and the appellant claimed his J. A. Rupus 5-10-0 vide his report book page no. 39 of 25. 2. 1934, travelled from Karkal to Mangalore as per District Forest Officer's Memo ref A. 1. 1912-233 of 21. 12. 1934 to appear before the District Medical Officer at Mangalore. The appellant received District Forest Officer's ref A. 1. 1912-233 of 11th May 1934, that the appellant has orders to appear before the medical officer at Karkal, and when he stated that he was bedridden, the medical officer at Karkal was asked to go his house and examine him, and he has no reason to go to Mangalore. Claim J. A. which will be included in the consolidated charge sheet pending against him, till it is disposed of, the J. A. will not be passed, which is unjust, unfounded, unsustainable, and unconstrained on the basis of facts. The appellant has no orders at all, from the District Forest Officer Mangalore North to appear before the medical officer at Karkal in any of his orders, which falsifies the version of the District Forest Officer Mangalore North on the evidence of records concerned. Further it is very strange to see when an European Gazette Officer states false statement vide memo ref A. 1. 1912-233 of 11th May 1934 that the appellant has orders, from the District Forest Officer Mangalore North, to appear before the medical officer at Karkal, when there were no such orders to the appellant, as far as the records concerned which may kindly be scrutinised well.

5. That, the appellant begs to submit in spite of many petitions to the District Forest Officer Mangalore North, for the grant of J. A. travelled from Karkal to Mangalore to appear before the District Medical Officer vide District Forest Officer's Memo ref A. 1. 1912-233 of 21. 12. 1934 the appellant at the last moment received Rupus 2-10-8 on 29. 11. 1934, from the Range Officer Shankaranarayana Range, by money order. The appellant receiving the same passed J. A. Rupus 2-10-8, regarding the journey from Karkal to Mangalore, the appellant submit his petition ref. no. 63 of 10. 12. 1934 direct to the District Forest Officer for reconsider to grant the mileage J. A. D. A. admissible under M. J. A. rules. The appellant received District Forest Officer's Memo ref A. 1. 1912-233 of 11th May 1934.

Saying under rules 95 and 95 A of Madras travelling allowance rules, the authority granting leave has the discretion to allow actual expense for journey, and no allowance can be drawn for halts. Then the appellant submitted his detailed petition ref. no 63 of 29.1.1935 to the District Forest Officer regarding T. A. etc paid to the Subordinates in the Department to be scrutinised well. The appellant received District Forest Officer's memo ref A-1-375-235 of 28.2.1935 saying that the appellant is not eligible for daily allowance for any halts under rules 95 and 95 A of Madras travelling allowance rules, and it is left to the discretion of the District Forest Officer to allow actual expense for journey in question, which gives away on the evidence of clear records.

6. That, the appellant begs to submit that Mr. Jaisimappa was an permanent forester at Karkal in Kodli Range and during his reduction to Forest Guard 1st grade fallible, and he was on long medical leave for about 10 months who was not been directed by the District Forest Officer Mangalore North to appear before the District Medical Officer at Mangalore for examination, regarding the extending leave to be granted and whose medical certificate was later than the appellant was granted leave without raising any objections, as did in the case of the appellant. At the end of 10 months leave, he was directed to appear before the District Medical Officer at Mangalore, and he was paid in advance his full mileage T. A. at the rate of 0-1-2 per mile plus daily allowance for halts.

7. That, the appellant begs to submit his 1st appeal was submitted - on the strength of the grounds stated above, to the Conservator of Forests Coimbatore Circle for impartial decision, but the Conservator of Forests Coimbatore Circle did not pass his legal proceedings and was very much pleased to reject the appeal without assigning any reasons. Vide no. A. 2231-235 of 25 September 1935 which is unjust and unsustainable on the basis of grounds.

8. That, the appellant begs to submit his 2nd appeal was submitted to the Chief Conservator of Forests Chepauk Madras on 12.10.1935 for want of legal proceedings on the decision of the appeal. But the Chief Conservator of Forests did not go through the appeal with connected records in order to judge and convince himself the facts before passing any proceedings. In order to assist an European Gazette's Officer, the Chief Conservator of Forests took shelter and states in his proceeding L. Vis. no 9566-235 of 27th January 1936, no appeal lies without assigning any reasons, which is gross unjust, unfounded and unsustainable on the evidence on the records.

9. That, this method of disposal of an appeal preferred by a aggrieved party to redress of grievances, is not only highly — unconstitutional but is against the principles of jurisdiction and natural justice. —

10. That, the appellant most humbly begs to submit in Conclusion, the appellant is eligible for J. A. and D. under Madras travelling allowance rules. The concerned officers were ignorant of rules, due to the personal prejudices of A. Griffith I. T. S. Esquire, against the appellant and pass arbitrary biased orders on the basis of remarks which are unjust, unfounded, and unsustainable opposed to M. T. Rules, and contrary to facts on the evidence of records. Therefore the appellant requests to cancel the orders in violation of natural justice, under M. T. A. Rules, and grant the withheld J. A. Rupees 2-15-4 at an early date for which act of kindness, justice and mercy the appellant most humbly prays for ever and ever. —

M. J. Mohammad Sahel
Appellant of 28/3

Enclosures for references.

1. District Forest Officer's Memo ref A. I. 1912-233 of 21.12.2 Communicated in Shankaranarayana Range Officer's C. No. 627-233 of 24.12.1933. (Original)
2. District Forest Officer's Memo ref A. I. 1912-233 of 6. Communicated in Shankaranarayana Range Officer's C. No. 11.1.1934. (Original)
3. District Forest Officer's Memo ref A. I. 1912-233 of 11.12.1934 Communicated in Shankaranarayana Range Officer's C. No. 627-233 of 20.5.1934. (Original)
4. District Forest Officer's ref A. I. No. 2276-234 of 25.10.1934. (Original)
5. District Forest Officer's Memo ref A. I. 375-235 of 28.2.1935 Communicated in North Range Officer's C. No. 126-7.3.3. 1935. (Original)
6. Conservator of Forests No. A. 2131-235 of 27.4.1935, September 1935, Communicated in District Forest Officer's ref. a-1-1618-235 of 30.9.1935. (Original)
7. Chief Conservator of Forests L. Dis. No. 95 of 235 of 27.11.1936, January 1936, Communicated in District Forest Officer's ref a-1-353-236 of 7-2.1936 and in Range Officer's No. 140 of 10.2.1936

M. J. Mohammad Sahel
Appellant of 10/7/36

Posting of certificate
obtains for having
despatches this.
M. J. Mohammed Sahib
Appellant
Date 28/2/36



The Government of Madras
Madras

Appellant: M. J. Mohammed Sahib
Ex. Junt. Guard Shankaranarayan Rang.
Mangalore North Division, residing at
Bailur Karsul Iluk South Kanara Dist.
Date 28. 2. 1936.

Appeal against the orders memo ref A. I. 636-234
of 31st May 1934, memo ref A. I. 636-234 of 29th July
1934, memo ref A. I. 636-234 of 22-9-1934, forwarding
ref A. I. 2274-234 of 26th December 1934, memo ref A. I.
373-235 of 6.3.1936, of the District Junt. Officer, Mangalore
North Division, ref. no. 169-234 of 22.5.1936 of the
Shankaranarayan Range Officer, order no. A. 2176-235
of 25.9.1935 of the Conservator of Forests Cochin Circle
and order no. 9567-235 of 31st February 1936
of the Chief Conservator of Forests Cheyenne Madras.



The appellant above named begs
to submit as follows.

1. That, the appellant begs to submit: he was
under suspension vide District Junt. Officer's proceedings
ref A. I. 636-234 of 29th March 1934, and ref A. I. 636-234
of 20th April 1934.
2. That, the District Junt. Officer's proceeding ref A. I. 636-
234 of 29th March 1934 is, the appellant should join
his duty within three days, on the receipt of this order, and
the District Junt. Officer threatened the appellant.
3. That, the District Junt. Officer's proceeding ref A. I. -
636-234 of 20th April 1934 is, the appellant is placed
under suspension, until further orders, till the charges
against the appellant on various accounts is finally
disposed of.
4. That, the appellant begs to submit as the illness
of his family and child, was found better, the appellant
submitted his petition to the District Junt. Officer Mangalore
North through Range Officer Shankaranarayan vide his petition
ref. no. 34 of 24th April 1934, to know where the appellant
should join his duty and the appellant did not know
about the substitute appointed in the place of the
appellant when the appellant was under suspension.
The appellant claims District Junt. Officer's memo ref.

memo ref A.1. 636-2307325 May 1934, in which District J. & S. Officer Mangalore North, orders the appellant will join his duty at the Station, where he left without permission, and the order was Communicated to Shankaranarayan Conf. Officer ref. no. 169-230711-5. 1934, but neither the District J. & S. Officer Mangalore North, nor the Range Officer, Shankaranarayan spoken anything about the substitute appointed in the place of the appellant, and the appellant was quite ignorant about the substitute appointed in his place. Further nothing was spoken about the substitute in the memo ref A.1. 636-2307325 May 1934, and also in ref. no. 169-230722-5. 1934, issued by the District J. & S. Officer Mangalore North and Shankaranarayan Range Officer, which may kindly be perused.

5. That, the appellant begs to submit on the receipt of the memo ref A.1. 636-284 of 325 May 1934 of the District Forest Officer Mangalore North, Communicated to Shankarappa Range Officer ref. no 169-284 of 11.5.1934 the appellant on 18.5.1934, submitted his petition ref. no 41-284 of 18.5.1934 to Shankararayan Range Officer - regarding the appellant's proposals to Amashebaail to join his duty there under the orders of the District Forest Officer, and has requested the Chief S. Nagaraj to issue necessary instructions through the Forests Amashebaail about his work. Subsequently the appellant joined his duty at Amashebaail on the forenoon about 11 Am. on 23.5.1934 and reported the facts, vide his joining report ref. no 42 of 23.5.1934, which may kindly be perused.

6. That, the appellant begs to submit when the appellant joined his duty at Amashebaail on the forenoon at about 11 Am. on 23-5-1934 under the order memo of H. I. 636-234 of 3rd May 1934 of the District Forest Officer, Mangalore North the Forests at Amashebaail had gone out for work and he returned in the evening. On his return from field the appellant appears before him, and handed over his joining report ref. no 42 of 23-5-1934 for submission to the Range Officer Shankaranarayana through him. The Forests at Amashebaail receiving the appellant's joining report ref. no 42 of 23-5-1934, the Forests handed over to the appellant Shankaranarayana Range Officer ref. no 169-234 of 22-5-1934, in which the appellant was posted to work under Forests Mandalakatti to help the Forests in marking sandalwood trees from reserves and at the bottom of this order it is noted by the Shankaranarayana Range Officer, that the acting appointments made in the appellant's — succession will automatically cease from the date of the

appellant joining his duty which may not be proved well. This is the 1st time that the appellant came to know that he was substitute in his place, and the appellant could have been ordered in the very same memo, that the appellant should take charge and relieve the substitute on his joining duty at Amashebail which is not spoken in the order ref. no. 169-284 of 22-5-1934, and when the appellant claims his pay for 23-5-1934, the District Joint Officer Mangalore North and Range Officer Shankaranarayana state that there was substitute in the appellant's place and he had to perform his pay for 23-5-1934, as the substitute did his work and further the District Joint Officer Mangalore North states his memo ref A.1-636-284 of 29th July 1934, proceeding of A.1-2274-284 of 26th December 1934, and memo ref A.1-373-235 of 6-3-1935, that the appellant relieved the substitute only on 23-5-1934 afternoon, which is highly false on the evidence of records. It is fact, on the evidence of records is standing that the appellant did not relieve the substitute at all on the afternoon on 23-5-1934, and the appellant had no order to relieve the substitute on the appellant's joining his duty. If the appellant had order either from the District Joint Officer Mangalore North or from the Range Officer Shankaranarayana to relieve the substitute on the appellant's joining on his duty at Amashebail and in such cases, if the appellant had failed to do so, the appellant's pay could have been cut off for 23-5-1934 under reasonable grounds. The appellant on the next morning on 24-5-1934 he had to travel from Amashebail to Deralakatte on transfer as per Shankaranarayana Range Officer's order ref. no. 169-284 of 22-5-1934 and neither the appellant relieved the substitute nor the appellant remains in charge any of the Government records etc on 23-5-34 when he joined his duty at Amashebail. The fundamental rule which is in force permits the whole day pay to be given when a subordinate joins his duty on the forenoon on any day from his leave and suspension etc. —

7. That, the appellant under the grounds stated above, the appellant submitted his appeal to the Conservator of Forests Cochin and Circle on 31-5-1935, but the Conservator of Forests states vide order no. A.2176-235 of 25-9-1935, that he has no reason to interfere which is unjust, and unsustainable on the evidence of records. —

8. That, the appellant on the receipt of the order no. A.2176-235 of 25-9-1935 from the Conservator of Forests the appellant submitted his appeal to the Chief Conservator of Forests Chepauk Masar on 12-10-1935, but the Chief Conservator of Forests states in his order L. No. 9567-235 of 3rd February 1936, that he has no reason to interfere, which is gross unjust, unfounded and intolerable on the part of an —

9. That, this method of disposal of an appeal before
by an aggrieved party for redress grievances is not only
highly unconstitutional but is against the principle
of jurisprudence and natural justice.

10. That, the appellants most humbly beg to submit
in conclusion, that the appellants claim for the pay 235
is right under fundamental rule which is in force
and due to personal prejudices of A. L. Griffith 235
against the appellants the appellants did not receive his
pay for 23-5-1934 and on the submission of his appeal
to the effect to the Conservator of Forests and Chief Conservator
of Forests the appellants did not receive legal orders
in view of justice, therefore the appellants request the grace
honour of the Madras Government, to set aside and
cancel the orders in view of justice, under the facts and
reasons on the evidence of records, for which act of
kindness, justice and mercy the appellants pray
for ever and ever.

M. J. Mohamud Sahib

Appellant

Dated 28/2/1936

Enclosures for reference.

1. Appellants ref. no 34 of 24-4-1934. (True copy)
2. District Forest Officer's memo ref A.1. 636-234 of 3/5/34
Communicated in Shankaranarayan Range Officer's ref. no.
169-234 of 11-5-1934. (Original)
3. Appellants ref. no A1 of 18-5-1934. (True copy)
4. Appellants ref. no 42 of 23-5-1934. (True copy)
5. Shankaranarayan Range Officer's ref. no 169-234
of 22-5-1934, Relined through Forest Manager
on 23-5-1934. (Original)
6. District Forest Officer's memo ref A.1. 636-234 of 23/5/34
Communicated in Shankaranarayan Range Officer's ref. no 169-234
of 24-5-1934. (Original)
7. District Forest Officer's memo ref A.1. 636-234 of 22-9-1934 Communicated
in Shankaranarayan Range Officer's ref. no 169-234 of 28-9-34 (Original)
8. District Forest Officer's proceedings ref A.1. no 2274-234 of 26/9/34
Relined direct. (Original)
9. District Forest Officer's memo ref A.1. 373-235 of 6-3-1935 Communicated
in District Range Officer's ref. no. 147-235 of 13-3-1935. (Original)
10. Conservator of Forests no. A.2176-235 of 25-9-1935 Communicated
in District Forest Officer's ref A.1-1619-235 of 30-9-35. (Original)
11. Chief Conservator of Forests L. No. no 9567-235 of 30/1/36
Communicated in District Forest Officer's ref A.1. 438-236 of 15-2-36 (Original)

M. J. Mohamud Sahib. Appellant. 28/2/1936.

C. W. B.

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Dev. Dept.

G. M. no 1081 I/36-1. 5716-3-36

Dep.
16-3-36

12
16/3 ✓

PP 4-8 and 19-22 of

Petitions dated 28-2-1936 from
M. J. Mohamud Sahib, ex Forest
Guard, Mangalore North Division
against ^{the} disallowance of T. B. for
certain journeys performed by him
and for payment of his pay for
23-5-1934.

Code B at P. 2 and A at
P. 34.

May
17/3/36

~~on submitting the petitions~~
on the above subjects have been
submitted through the D. F. O.,
Mangalore North Division. The
C. C. F. is requested to ascertain
and report whether the petitions
have been received ^{yes} and when they
will be submitted to Govt. with
the connected records and with his
remarks.

To the C. C. F.

S.R. dated 22-4-36.

KL
16-3-36

1/13-3-36

S.R.
13386

38/14 7/5
Forest DEPARTMENT

Dec. 2046-1
60.5.36

Received  192 Registered 192

Subject.

Petitions from M.J. Mohamud Sahab against disallowance of Travelling Allowance and pay.

ENCLOSURES.
No.
Spare copies

Refce. No. 2486/30-DE

Station Chepauk, Madras, Dated the 29-4- 1936.

From (Name) T.A. Whitehead Esq., I.F.S.
(Designation) Ag. Chief Conservator of Forests.

To The Secretary to the Government of Madras.
DEVELOPMENT Department.

Sir,

[Signature]
Refce: - Government Memo. No. 1081 I/36-1, dated 16th March 1936.

Three petitions from M.J. Mohamud Sahab, late Forest Guard, Mangalore North Division are Submitted

2. Petition No. I.

This is against the District Forest Officer's order Ref. A1.1912/F.33 dated 8-11-33 treating the petitioner's absence from 24th October 1933 to 3rd November 1933 as leave without pay. The first appeal was dismissed by the Conservator. His second appeal to Chief Conservator was rejected in L. Dis. No. 6567/34 dated 25-9-34 and his memorial to His Excellency the Governor was dismissed.

Ho-60-43 in

p. 9 of (Y)

Papers relating to this.

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disposed of in G.O.No.148 MS,Development dated 1st February 1936. (R)

Petition II.

Hkh-hb mpr

This is against the order of the District Forest Officer,
Ref.AL.543/F.34, dated 1-6-34 disallowing the grant of
Travelling Allowance for a journey alleged to have been made
by the Petitioner from Udipi to Karkal on 24-11-33. The first
appeal was rejected by the Conservator and the second appeal
was rejected by me - vide L.Dis.4905/35 dated 30-7-35. He
then memorialised His Excellency the Governor and in Government
Endorsement No.5339-I/35-1 dated 7th December 35 he was informed
that he should in the first instance approach Government for --
redress.

bis y (R) m
re. Petn II
bis y (U)
hgy (M)

(G)

Petition III.

Hkh-hb mpr

This is against the orders of the District Forest Officer,
North Mangalore limiting the petitioner's claim to Travelling
Allowance to Rs.2-9-0 against Rs.17-4-0 as claimed by him. The
first appeal to the Conservator and his representation to Chief
Conservator were both rejected vide Conservator's L.Dis.2144/34,
dated 19-9-34 and Chief Conservator's L.Dis.No.4904/35 dated
30-7-35.

bis y (H)
hgy (W)
hgy (T)

The connected records relating to all the three petitions
are submitted.

M.F. Bridge
for Ag. Chief Conservator.

List of enclosures.

- Current file pages 10 - 23
Records relating to Petition No. I
D.Dis.1912/33
C.C's L.Dis.9568/35
L.Dis.502/34
L.Dis.1846/34
C.C's L.Dis.4322/35
Do. L.Dis.6567/34
Records relating to Petition II
C.C's L.Dis.4905/35
L.Dis.543/34
N.Dis.2314/34
L.Dis.145/35
L.Dis.8016/35
Records relating to Petition III
L.Dis.2144/34
C.C's L.Dis.4904/35
L.Dis.1358/34.

2.5.36.

Sec
CHED 2/5/36
25.11.1936

*Enc. is handl'd
on 13/7/36*

11

~~10~~ ~~40~~ 16
The Government of Madras
Madras

Through

The District Forest Officer
Mangalore North Division
Mangalore

Humble appeal petition of M. G.
Mohammed Sahib Ex. Forest Guard
Shankaranarayan Range, Mangalore
North Division residing at Sheetanady
Hosa Bhandimata Karkal Taluk Hebi
Branch Post office South Kanara Dist.
Dated 30. 12. 1935.

Most Respectfully Sheweth.

P 19
(E)

Being highly aggrieved by the order
ref A. I. 1912-233 of 8th November 1933
under Serial no. 187 of 1933 of the
District Forest Officer Mangalore North
Division treating the leave on loss of pay
from 26th October to 3rd November 1933
the appellant above named most humbly
begs to file this appeal against the same
on the following grounds. —

p 3 (E) The appellant most humbly begs to submit while
he was an acting Forest Officer in Hebi Range in 1933
he on 23. 10. 1933 at Nile Camp was suffering from
fever desepsia and nervous debility, he submitted his report
Serial no. 4 of 23. 10. 1933 to the Range Officer North
(Mr. C. Vasu.) praying for 5 days casual leave etc. from
26th October to 30th October 1933 and the same was given
by the Range Officer North and it was finally passed by the
District Forest Officer Mangalore North Division, vide X. N. No.
33 - C - 2 of 25. 10. 1933, and the appellant was due on his duty
on 31. 10. 1933 morning. As the appellant was not recovering
his ill-health, he on 31. 10. 1933 appeared before the
Range Officer North and handed over the Forest Officer's
Consist of Government's records and articles etc. to the
Officer North in person in the Range Office in order to
A. I. 968-233 of 15th October, 1933, from the District Forest Officer

p 4 (E)

2. That the order of the District Court of New Mexico now appealed against is entirely unjust, and founded upon error to the rules, and Contrary to facts and evidence on record.

3. That the District Court Officer was greatly prejudiced against the appellant and entirely relied on verbiage of the District Officer's biased remarks, on the appellant's motion for leave application of 21. 10. 1933, and gave arbitrary

#2 1811

order, which is unsustainable constrained on the basis of facts and records. There is no justification treating the leave on loss of pay from 24th October 1933 to 3rd November 1933. The District Joint Officer Mangalore North was ignored of the appellants extension leave application of 21.10.1933, who has sufficient power to direct the appellants to appear before any medical officer for examining regarding the extension of leave to be granted when the appellant requests the extension leave to recover his illness, vide the petition of 21.10.1933, before it was granted by the District Joint Officer Mangalore North in the order appealed against which is not done and it gives agony.

p57-61 (E) The appellants humbly begs to state on the receipt of the District Joint Officers order appealed against the submittal of his petition on 20.11.1933, to the District Joint Officer Mangalore North through the Range Officer Shankaranarayana - requesting to treat the period from 24.10.1933 to 3rd November 1933 as leave on average pay, for which the appellants relied District Joint Officers ref A.1. 1912-233 of 10.12.1933 where he states that the order refused to was issued after a full consideration of the case and sees no reason for its reconsideration and further it states that the appellants must learn, that the orders are issued to be obeyed, and not flouted, which is unjust, unfounded, and intolerant on the evidence of the facts, and reasons.

p63 (E) 5. The appellants humbly begs to submit on the receipt of the order of the District Joint Officers ref A.1. 1912-233 of 10.12.1933, the appellants submitted his appeal petition of 21.12.1933 to the Conservator of Forests Cochin for justification, but the Conservator of Forests Cochin was ignorant of the facts and reasons mentioned in the appeal petition and transcribed order No. M. 502-234 of 8.4.1934, on the strength of the District Joint Officers remarks in which that the Conservator of Forests Cochin states that he sees no reason to interfere with the District Joint Officers disposal of the petitioners case, which is unjust and unsustainable under the evidence of facts and reasons.

p25 of (V) L. 11504/34 6. The appellants humbly begs to submit that his appeal petition of 23.6.1934 was submitted to the Chief Conservator of Forests Chapank Madras for justification under the view of facts and reasons, and rules based on the evidence of records whereas the appellants relied L. No. 6567-234 of 25th September 1934 from the Chief Conservator of Forests in which that the Chief Conservator of Forests was very much pleased on the strength of the remarks of the District Joint Officer Mangalore North and Conservator of Forests Cochin to reject the appeal petition going through the facts and reasons mentioned in the appeal. There is no justification at all to reject the appeal, without going through the reasons which is unsustainable.

27 of (D) L. 11504/34

7. The appellant humbly begs to submit that his appeal petition of 10. 12. 1934 was again submitted to the Chief Conservator of Forests for reconsideration under the vein of justice through the evidence of facts, reasons, and rules mentioned in the appeal whereas the appellant received L. Vis. no. 4322-235 of 17th June 1935 from the Chief Conservator of Forests Chapana in which that the Chief Conservator of Forests State that the orders passed in this office L. Vis. no. 6567-234 of 25th September 1934 will not be reconsidered. There is no justification at all in issuing such orders without ~~scrutinizing~~ ^{scrutinizing} the Committee's records, and it gives intolerable agony.

8. The appellant therefore in conclusion most humbly and respectfully prays that on a kind and favorable consideration of all the facts and reasons set forth to the above your honors may be pleased to cancel and set aside the orders of the District Forest Officer Mangalore North, Conservator of Forests and Chief Conservator of Forests, and grant the pay from 24th October 1933 to 31st November 1933, treated by the District Forest Officer Mangalore North on loss of pay in the order appealed against for which act of kindness, justice and mercy the appellant prays for ever and ever. The following records submitted along with the appeal of 12. 9. 1935 addressed to the Honorable Principal Secretary, His most Excellent Governor in Council Madras through the proper Channel have not been received by the appellant in return, as ordered by the Assistant Secretary to Government, vide endorsement no. 5339-1/35-1, of 7th December 1935 which may kindly call for, for references.

1. District Forest Officer's circular no. 2 of 1933, of A. I. 1647-233 of 17. 9. 1933. True copy one = 1.
2. Casual leave petition of Janki M. J. Mohammed Sahib vide report book page no. 7 of 23. 10. 1933. True copy one = 1.
3. Extension leave application of Janki M. J. Mohammed Sahib of 31. 10. 1933. True copy one = 1.
4. District Forest Officer's Advice order no. 187 of 1933, of A. I. 1912-233 of 28. 11. 1933. The original one = 1.
5. Petition of the appellant of 20. 11. 1933. True copy one = 1.
6. District Forest Officer's memo of A. I. 1912-233 of 10. 12. 1933. True copy one = 1.
7. The appellant's appeal petition to the Conservator of Forests of 31. 12. 34. True copy one = 1.
8. Dis. M. no. 502-234 of 28. 4. 1934 of the Conservator of Forests. True copy one = 1.
9. Appeal petition to the Chief Conservator of Forests of 3. 6. 1934. True copy one = 1.
10. 2nd appeal petition to the Chief Conservator of Forests of 10. 12. 1934. True copy one = 1.
11. L. Vis. no. 4322-235 of 17th June 1935 of the Chief Conservator of Forests. True copy one = 1.

M. S. Mohammed Sahib
 Appellant of 30. 12. 35

 M. J. M. Sahib
 Appellant of 30. 12. 35

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To ~~14~~ 201

The Government of Madras
Madras.

11

Through

The District Town Office
Mangalore North Division
Mangalore.

Humble appeal petition of M. J.
Mohammed Sahib, Es. Juss. Quard the
Narayana Range, Mangalore North Division
residing at Shutanag, Hosa Bhandimata
Karkal Taluk, Hebi branch Post-Office
South Kanara District.

Dated 30. 12. 1935.

Most Respectfully Sheweth.

The appellants humbly begs to shew
that he was on leave on average pay Rupees 30/- per month
in November 1933 for his ill health on account of despondency
and nervous debility, and he was in the possession of a
climate here and there as advised by the medical practitioner
under whom he was undergoing treatment. The appellants
has to go to Udipi to have the fresh air of the sea side
by the medical practitioner, the appellants on his way
Udipi 18. 11. 1933 received the summons in C.C. No. 30 of Karkal
Stationary Sub Magistrate's Court to appear before the Court
on 24-11-1933 at 11 A.M. as a witness. The appellants appeared
before the Court at Karkal as a witness on 24-11-1933 and
he claimed the ordinary mileage at 0-1-2 per mile
admissible under M. 7. A. rule and submitted his T. A.
bill for Rupees 1-12-0 on 30. 11. 1933 to the Range Officer
Shankaranarayan Range. The appellants received from
Shankaranarayan Range on 13. 2. 1934, being the T. A.
only passed by the District Town Office. The appellants
after receiving annas three on 13. 2. 1934 from the District
Shankaranarayan he submitted his report book page no.
41 of 26-2-1934, requesting that the T. A. annas five p. 5.
passed by the District Town Office is unjust under
special reasons necessitates the appellants to have
from Udipi to Karkal to attend the Court as a
witness on 24-11-1933. The appellants received District
Town Office Ref. No. 563-234 of 21. 3. 1934.

p 1 (+)

~~Shankaranarayana~~ Range Officer Ref. no 190-234 of 28-3-34
to explain the discrepancy. That the Ins. Guard says that he
travels from Mofsi whereas the T. A. bill shows from Mofsi
to Karkal and back which is explained by the appellant
in his petition Ref. no 13 of 3-4-1934 submitted to the
District Ins. Officer through the Range Officer Shankaranarayana

p12 (+)

2. The appellant begs to state with reference to
appellant's petition, the appellant received District
Ins. Officer's Ref. A-1. 543-234 of 18 June 1934 Communicated
to Shankaranarayana Range Officer Ref. no 190-234 of 9-6-34
saying no travelling allowance other than already allowed
can be granted to him, even though the special circumstances
which necessitated the appellant to be and to travel from
Mofsi to Karkal on 24-11-1933 were brought to his notice
of the District Ins. Officer vide appellant's report book no
41 of 26-2-1934

p15 (+)

p1 (+)

3. The appellant begs to submit that he submitted
his appeal vide Ref. no 54 of 26-6-1934 to the Conservator
of Forests through the proper channel but the said appeal
was returned back to the appellant with all the enclosures
vide District Ins. Officer's no. Dis no 1269-234 of 30 July 1934
Communicated to Shankaranarayana Range Officer Ref. no
190-234 of 11-7-1934 saying that no travelling allowance
other than already allowed can now be therefore granted. As
the said appeal was submitted by the appellant vide
Ref. no 54 of 17-7-1934 with all the enclosures showing
the special circumstances necessitating the appellant
to be and to travel from Mofsi to attend the S. G.
Stationary Magistrate's Court at Karkal on 24-11-1933
as a witness but the Range Officer Shankaranarayana
automatically returned to the appellant in his Ref. no
381-234 of 26-7-1934 saying that he does not forward
all these un-reasonable chaffs and therefore the appellant
submitted his appeal direct to the Conservator of Forests
registered on the 6th August 1934 from Shankaranarayana
vide Ref. no 54 of 24-6-1934, and 31-7-1934 and also
his report book pages no 62 to 64 of 31-7-1934 was also
to the Range Officer Shankaranarayana through the Ins. Officer

p18 (+)

p152 (R)

D. 25-2-14/21

4. The appellant begs to submit that
the appellant received D. Dis no 2314-234 of 12-10-1934 from the Conservator
of Forests Communicated in the Mangalore District Ins.
Officer's Ref. A-1-1525-234 of 13th October 1934 saying that the
appeal is rejected, and again the appellant was compelled
to submit his humble appeal Ref. no 64 of 10-12-1934
for reconsideration under M. T. A. rules and to state
justification now, but the Conservator of Forests did not
consider the facts due to the appellant's misfortune

~~27~~ ³¹ ⁴⁶ ²⁴
under M. Y. A. rules and arbitrary passed the transfer order
ref No. A. 145-235-3 of 14th March 1935 Communicated to North
Mangalore District J. & S. Officer ref A-1-638-735 of 20th March 1935
saying that the appeal is rejected which is aggrieved much upon
and unsatisfactory opposed to M. Y. A. rules and Contrary
to facts mentioned in the appeal.

p 29 of

(9)

L. No. 145/35

(M)

5. The appellant further begs to submit on the basis
of the rejection order from the Conservator of Forests on his appeal
the appellant submits his appeal to the Chief Conservator of
Forests Chapankhawas on 8-6-1935 whereas the Chief
Conservator of Forests too was cognized of the facts as rules
mentioned in the appeal and much pleased to pass
arbitrary order on the basis of the remarks of the Conservator
of Forests vide R. No. 2905-35 of 30th July 1935 which is
enclosed in original.

6. The appellant humbly begs to submit in conclusion
M. Y. A. rule No. 91 Note (1) permits that the M. Y. A. from order
to Karikal should be given under the circumstances
described in the M. Y. A. rules attended the Court as a
witness when a subordinate is on leave. The appellant's
claim is right in this respect, and the appellant is
contention. Under the view of M. Y. A. rules mentioned
above was not mentioned to pass justification order
but the order merely passed is aggrieved, which is unjust
unfounded and strange. Therefore the appellant is
begs to the gracious honours may be pleased
to go under the view of M. Y. A. rules and pass
justification order in this respect of with-held S. B.
Rupn 1-7-35 at an early date, for which act of kindness
justice, mercy the appellant most humbly prays
for ever and ever. The appellant most humbly begs
to state that the enclosures mentioned in this appeal
were not received back from the Honorable Private
Secretary, His most Excellency Governor in Council
Madras submitted by the appellant on 12-9-1935
along with his humble appeal which may
be called for, for references, as now ordered by the
Honorable Secretary to Government of Madras

p 20 of Vide enclosures No. 5339-1-35-1976 December 1935

M. S. Mohammad Sahib
Appellant

30.12.1935

The Government of Madras

Madras

Through,



The District Joint Office
Mangalore North Division
Mangalore

Humble appeal petition of M. J.
Mohammed Sahib, Et. Joint Quard
Shankaranarayana Range Mangalore
North Division residing at Shekharody
Hosa Bhandanata Hebi Branch P. O.
Kailash Taluk South Kanara District
Dated. 30. 12. 1935.

Most Respectfully Sheweth,

The appellant humbly begs to submit
before the appellant claims his reversal order from
order to Joint Quard 18th grade in October 1933, the appellant
has fallen ill, on account of dyspepsia and nervous debility
the appellant appeared before the Range Officer with
Mr. C. Vam) on 31. 10. 1933, and handed over the Government
decrees and certificate, as ordered by the District Joint Office
in his proceedings of A. 1. 968-233 of 15th October 1933 and
submitted his leave application of 31. 10. 1933 to the Range Officer
in person for one month's leave in continuation to his leave application
of 7th 10. 1933 and he was ill health
for this it was not said in the proceedings that the appellant's
reduction will take effect from 15th October 1933, or from the date
of receipt of the proceedings of reduction mentioned above. The
appellant was granted leave from 1st November 1933 on full
average pay Rs 30/- vide District Joint Office of A. 1. 912-233 of
24-11-1933 under Service rules 187 of 1933. The appellant did not
recover his ill health completely, during the leave of one month
granted by the District Joint Office Mangalore North and the
appellant was forced by his illness to go on leave further
the appellant under whom he was undergoing treatment
obtained the medical certificate regarding his illness
submitted to the Range Officer Shankaranarayana, vide his
petition of 30. 11. 1933, of Honorary Assistant in Charge of the
Joint Dispensary at Karkal, praying for two months leave
and the same leave on full average pay Rs 30/- was granted by
the District Joint Office Mangalore North, vide ref A. 1.
1912-233 of 16th February 1934, under Service rules 179 of 1933.
The appellant begs to state that he was drawing pay Rs 30/-
for one month, the full average pay from 1st November 1933 on

p 139 (E)

p 139 (E)

wards till 12-2-1934, with the appellant joins his duty in 13-2-1934 at Shankaranarayana. -

2. The appellant begs to submit, when he was on leave he received his transfer from the District J. O. office vide of A. I. 968-7280 dt. 11-11-1933, Communicated in wife's office vide of. No 828-783 of S. U. 1933. After the appellant joins his duty on 13-2-1934 at Shankaranarayana he submits his Y. A. bill for Rs 17-4-0 vide his report for Rs 25-2-1934 claiming his mileage for 16 miles and one for personal effects for 16 miles from Kankal transfer Y. A. was passed therefor for Rs 2-9-0 for 16 miles at the rate of 11/- per mile which is unjust and contrary to the rule. The fundamental rule permits the subordinate who is on leave on his reduction from new post to old post the reduction will take effect only after the subordinate joins his duty in his old post. In these circumstances the appellant was right in his claim for this mileage under M. Y. A. rule and further the appellant begs to point out all the subordinates in this Division rank in Forest Guards from 1st to last grade are duly paid their transfer Y. A. at the rate of 11/- on transfer, whereas the appellant was paid at the rate of 11/- which is unjust and unsustainable under the authority of M. Y. A. rule, and the facts are in records and the same may kindly be terminated.

3. The appellant begs to submit his petition of C. No 20 of 3-4-1934, and of. No 25 of 15-6-1934, were submitted to the Range Officer Shankaranarayana regarding the transfer Y. A. bill for Rs 17-4-0 not passed for which the appellant claims his District J. O. office of A. I. 912-234 of 20-6-1934 Communicated in Shankaranarayana Range Officer of. No 627-24 of 28-6-1934 saying one anna per mile i.e. half mileage will be allowed as the appellant has joined his duty at Hemmalail as order by the District J. O. Officer Mangalore North and relieved officiating Forest Guards Koragatta in time. The appellant submits his petition of. No 35 of 4-5-1934 to the District J. O. Officer, through Range Officer Shankaranarayana with the detailed explanation to his reason mentioned by the District J. O. Officer. The appellant begs to state that he was transferred to Hemmalail post but when the appellant appeared before the Range Officer on 13-2-1934 at Shankaranarayana, the Range Officer himself changed the District J. O. Officer's order which was more than Range Officer's order and hence the appellant was posted on special duty in the Range under the direct control of the Range Officer until further order, vide Range Officer of. No 627-233 of 13-2-1934. In this case the appellant cannot be found fault and promises not joining at Hemmalail when two officers don't agree with each other and the evidence of this is in records which may be kindly terminated with reference to the appellant's of. No 35 of 4-5-1934, the appellant claims -

~~22~~ District Forest Officer Memo def A. I. ²⁵ 612-2339 23-5-1984 as.
final Communicated in Shankaranarayan Range office
vfe. n. 627-2339 4-6-1984.

4. The appellant begs to submit that his appeal with the ref. n. 57-234 of 8-7-1934 was submitted to the Conservator of Forests Ootacamund Circle through the proper channel for the favour of keen consideration into the claiming transfer J. A. of the appellant not paid by the District Forest Officer Mangalore North whereas the appellant relies the proceedings L. No. 2144-234 of 19-9-1934 from the office of the Conservator of Forests Bangalore that the appellant request for transfer travelling allowance is inadmissible. Again the appellant submits his appeal ref. n. 674 of 10-12-1934 to the Conservator of Forests Ootacamund Circle for favour of reconsideration into the claim of the appellant's transfer travelling allowance under the Veto of Fundamental and M. J. A. rules and hence the appeal raised above was rejected by the Conservator of Forests Ootacamund Circle vide ref. A. 1. 145-235 of 14th March 1935 communicated to the District Forest Officer ref. A. 1. 639-235 of 25-3-1935.

5. The appellant humbly begs to submit that he on 8.6.1935 submitted his appeal to the Chief Conservator of Forests Chapankharia for justification under the M. F. A. rules but the Chief Conservator of Forests too was ignorant of the rules and facts mentioned in the appeal and much worse, he has arbitrarily order on the basis of the remarks of the Conservator of Forests vide L. No. 1906-735 of 30th July 1935 which is enclosed herewith in original.

6. The appellant humbly begs to submit in Enclosure that the District Forest Officer, Conservator of Forests and Chief Conservator of Forests are ignorant of M.F.A. and Fundamental Rules and have the arbitrary orders regarding the transfer of A. Due to the appellant's misfortune which is aggrieved and unfounded the order appeals against. The intention of the appellant on an appeal to the Conservator of Forests Cochin and Chief Conservator of Forests Chapankud was to scrutinize the facts and reasons under the view of rules to justify the version of happenings in his claim but the Conservator of Forests and Chief Conservator of Forests are ignorant of facts and rules etc and have passed orders which is unjust and unsustainable on the grounds. Therefore the appellant requests your gracious honor may be pleased to under the light of rules and pass the justification orders at an early date in the view of facts and reasons mentioned in the appeal with respect to withheld T.A. as the clock for which acting kindness, justice and mercy the appellant prays for ever and ever. The following mentioned enclosure submitted along with my appeal of 12.9.43 is submitted to the Honorable Private Secretary, His Most Excellent Government of Madras through the proper channel have not been submitted before the appellant in return as ordered by the Assistant Secretary to Government vide order no. 5339-1/35-1 A/11 December 43. Which may kindly be called for for reference.

Enclosure

Mrs. Mohammed, 184

1. District Engineer's Bureau no. 1279 of 1935, of 4-1-968. 2357, 12-11-1935 original
2. Chief Conservator's L. No. 4904 of 25/1/1935, 12-11-1935 original.

M. J. H. L. am 11. 12. 1917

~~C No 2486.36. D₂ 26~~
~~20~~ ~~D₂~~

Posting of certificate
of title to having
been hatched this
M. J. Mohamud Subul
Appellant
Dated 28/2/36

CHIEF CONSERVATOR OF FORESTS
MADRAS
1- APR 1936
11/3/36

~~20~~
His Excellency the Governor
in Council Madras,
Madras.

Through

The Forest Range Officer, North
District Forest Office Mangalore
North Division,
Mangalore.

N. Dis. 857/36 dated 1.4.36
Forwarded to the Chief
Conservator Forest in continuation
of para 3 of my. Ref. A 712/36
Dated 25.3.1936

Well known
for Ag. Conservatory Forest
Odeanur Circle

I the appellant, M. J. Mohamud Subul
Et. Forest Guard Shankaranarayan Ram
Mangalore North Division Resided at Bar
Karkal Taluk South Kanara District.
Date 28.2.1936.

12/4/36
1/4 - (P)
1.4.36
Development Department of 18 February 1936 in which

I most humbly beg to state that I read
on 21.2.1936 Legistives Post, the copy of G.O. No. 146
Development Department of 18 February 1936 in which
His Excellency the Governor in Council Madras decided
to interfere on behalf of memorialist. Communicated
by the Chief Conservator of Forests L. Dis. no. 9568-235942
February 1936. As I did not know, my appeals were
addressed to the Private Secretary to His Excellency
the Governor in Council Madras and now they are
submitted to Government of Madras direct, and also
through the District Forest Officer Mangalore North
in obedience to Development Department's order
no. 5339-1-35-1 of 7th December 1935, in which
His Excellency the Governor in Council Madras directed
the appellant at the 18th time should approach to
Government for redress, for which I most humbly beg
to request, that the Government of Madras may be
pleased to pass legal orders, in view of justice, fact
and evidence standing on record.

RECEIVED
- 2 APR 1936

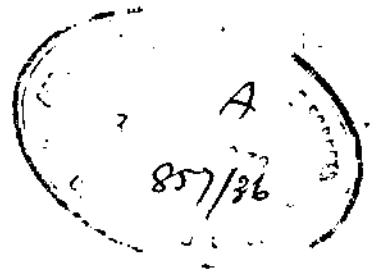
(F)
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80/6/35
M.F. 2
4/4

M. J. Mohamud Subul
Appellant of 28/2/36

Copy submitted to Government of Madras direct.

M. J. Mohamud Subul
Appellant of 28.2.1936.

27 ~~45~~ 24
Al-684-786 24



Ref A.L. 684/F.36.

Submitted to the Conservator of
Forests, Ootacamund Circle, Ootacamund
with reference to his L.Dis 2663/35-A,
dated 23-12-1935.

- 1 Dis 199
1288.

Returned to the Petitioner, M. J.

Mohammad Sahib.

Mangalore, 18-3-36.

2. H.E. the Governor has already passed orders on his memorial - vide G.O. no.

/ True copy /
/ By order /

G. Shobhan
Head Clerk.

148/Ms. Development, (P)
of 1. 2. 36; and hence the
underinferred does not find
any reason to forward this

M.M.R/25-3-36.

26/3

B. W. Thane
Range Officer
13/36
L.D.P.

Encls: (1)

Submitted to the District
Forest Office Mangalore North
Division as the Range Officer
has returned back, without going
through the Contentional Matters in
these petitions.

Mrs. Mohammad Sahib
petitions
4/9/36

12-3-36

W.F. -

Winter

6. m. no. 1081 J 36-2 819-5-36

Petitions from M. T. Mohamud Sallab
again in attendance of T. A. d. pay

PP 36394.

6 correspondence ending with C.C.F.
 1004. no. 2486 | 36-D2-8229-4-36

10.3749

The attention of the C.C.F. is invited to G.M. no. 1081, I/36, dated 16-3-1936 and he is requested

to state whether the petition dated
28-2-1936 from the Foreign Fund, M. J.
Mohammed Sahel, for the payment of
his pay for 23-5-1921, referred to

therein ~~was~~ has been received & if
when it will be submitted to Govt. with

the connected records & with his remarks

It has not been received along

with the three petitions ^{submitted} ~~forwarded~~ to

Govt with the C.C.'s letter read above

Deo

19/5

∴ The c.c.F. ✓

RR
1956

June

7-16-5-36

over
1875

kar
4576

29

Forest

DEPARTMENT

Dev. 2494-1
9.6.36.80.

Received



Registered.....192

Subject.

Petitions - M.J. Mohommed Sahib - late Forest Guard.

ENCLOSURES.

No

2 petitions.

Spare copies.....

Reference No. 2486/36-D2.

Station Chepauk, Madras Dated the 4th June 1936

From (Name) T.A. Whitehead Esq., I.F.S.,

(Designation) Ag. Chief Conservator of Forests.

To The Secretary to the Government of Madras,

Development Department

Sir,

P.56 mpru

Ref: Government Memo No.1081/36-2, dated 19-5-36.

PP 38-39 mpru

PP 58-61 mpru

The three petitions that were submitted to Government with this office Ref.No.2486/36-D2, dated 29-4-36 were all that were received from the petitioner. I enclose herewith two more petitions which have since been received from him. From the petition dated 22-5-36 it is observed that his representation against the disallowance of pay for the 23rd May 1934 has been submitted by him to Government direct.

CHIEF
JUN 1936

M.F. Bridge
for Ag. Chief Conservator.

rk.5.6

30 30 20 2086
 19 19 19 19
 12 12 12 12
 By Registered Post

The Government of Madras
 Madras



Chief Conservator of Forests
 Chebarkuduru
 Madras.

I the appellants M. J. Mohammed
 Sahib, et. al. Juss. Ghanshyam
 Range, Mangalore North Division.
 residing at Bailur Kasaba Bailur
 Post. Taluk Karkal Taluk S. Kanara Dist.

Date 22. 5. 1936

Appeal of 30. 12. 1935 in the respect of
 of loss of pay from 24th October to
 32nd November 1933.

Submitted through District Forest Office
 M. J.

Appeal of 30. 12. 1935 in the
 respect of J. A. of 24. 11. 1933.

Submitted through District Forest Office
 M. J.

Appeal of 30. 12. 1935 in the respect
 of transfer J. A. of 12. 2. 1934.

Submitted through District Forest Office
 M. J.

Appeal of 28/2/36 in the respect
 of J. A. and D. A. from 2. 2. 34
 to 4. 2. 1934 (Submitted direct)

Appeal of 28/2/36 in the respect
 of pay of 23. 5. 1934

Submitted direct.

M. J.
 30/5

Most Respectfully Sheweth.
 I most humbly beg to remind that
 my appeals noted in margin in the respect of
 J. A. etc were submitted on 30. 12. 1935 and 28. 2. 36
 through the District Forest Office Mangalore North
 Division, and also direct but no favourable
 orders are yet been passed on them. Those
 appeals were made according to M. J. A.
 and Fundamental Rules etc which may be
 be scrutinised well. In the case, if those
 appeals as they were already disposed of, by the
 concerned officers, there will be high injustice
 and also it will be a kill to me for which
 I request and pray, that the Government
 may be pleased to pass justification
 proceedings impartially at an early date
 as the British Government has protected
 justification, since the British Empire
 established in India and it is well known
 by all nations that the British Government
 takes more interest in the protecting justice
 than other Government and there is talk of this
 everywhere. Such being the case I hope
 that the British Government will not be displeased
 to pass justification proceedings impartially
 In these cases there is nothing more to be
 expressed as they are lie in the hands of

government of Madras to ³¹ justify its
proceedings, according to the evidence and
M. J. A. rules etc. stated in the appeal petition.
Justification is that, each and every body,
poor and rich who hears the appealed
reasons, and proceedings passed thereon,
should agree with. No further objections,
and not the concern of the officer who
disposes the appeal. I request the
Government of Madras may not
be pleased to stand in the very same
possession, as already stood by the
Concerned Officers, unless the whole
matter of the appeal is keenly seen
and scrutinised in the respect of the
claims put forward by me, grantable
or un-grantable under the authorities
of the M. J. A. and Fundamental rules etc.
I have already submitted an Reminder
in this respect, through the District Ins-
pector Mangalore North Division on
5.5.1936 which might have been.
I pray and solicit an early favourable
reply.

M. J. Mohammed Subud

Appellant

Dated 22/5/1936

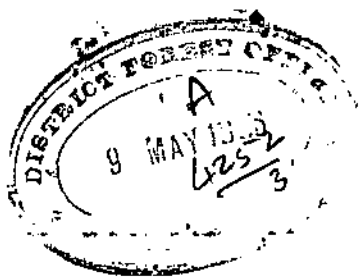
20/
51

Ac - 1239 + 06

321
4250
The Government of Madras
Madras

Through

The District Jesh. Officer
Mangalore North Division
Mangalore.



I the appellant M. J. Muhammad
Sahib, Esq. Jesh. Officer, Shankaranara
Range, Mangalore North Division
Residing at Bailur, Bailur Branch
Post Office Karkal Taluk, Pudukottai

Madras 5552 436 in order of

Most Respectfully Sheweth.

in
85-36

I most humbly beg to remind
that no orders are yet been passed on my
humble appeals, submitted through the District
Jesh. Officer Mangalore North Division, and also one
in which I request favourable orders may kindly be
passed on my humble appeals at an early
date. Further I most humbly beg to bring
and place before your gracious honours, that
the justification has been protected with no
partiality since the British Empire established
in India. During the time of Mogal Empire of
unfavourability, and unjust were appreciated
overlooking the justification and such have
not been found in British Empire as has found
in Mogal Empire. I therefore most humbly
request that your gracious honours may be pleased
to solicit favourable orders according to
evidences standing on record. I hope
the justification will be decided according
evidences standing on record, with no bit of a
prevalence as the British Empire stands in
possession of scrutinising justification.

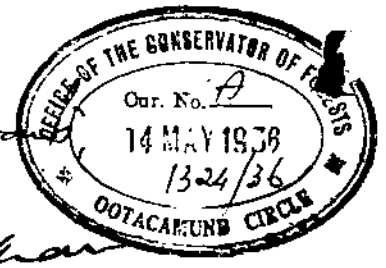
M. J. Muhammad Sahib

Appellant

P.T.O.

Dated 5-5-1936

N Dis 1234 36 33 ~~41~~
 Submitted to the Conservator of Forests
 Ootacamund circle



B. Balaraman
 12.5.36
 Dy. Forest Officer,
 Ootacamund
 10.5.36.
 11.5.36

12 MAY 1936



12/5

N Dis 1324/36.

Forwarded to the Chief Conservator of Forests, Madras.

P. P. P.
 16.5.36.
 Dy. Conservator of Forests
 Ootacamund Circle

DESTROYED
 1. MAY 1938

16/5/36
 15.5.36
 15/5

M. F. G.
 20/5

the
 that
 the
 the

Dev-Dept

C no. 1081 I/36

Petitions from M. T. Mohammed Sahib

Ex Forest Guard, Mangalore North Division.

P.P. 1-8 and 19-22 of

P. 37 of

P.P. 38-39 of

P. 56 of

P. 57 of

From the petitioner dated 28-2-1936.

G. M. to the C. C. F. no. 1081 I/26-1 dt 16-3-1936

Reply from to C. C. F. no. 2486 I/36-1 dt 24-4-36

G. M. to the C. C. F. no. 1081 I/36-2 dt 19-5-36

Reply from to C. C. F. no. 2486 I/36-2 dt 4-6-36

To A.S

Please see the correspondence referred to above. This file consists of the following

^{appeals}
~~petitions~~ from M. T. Mohammed Sahib Ex Forest Guard, Mangalore North Division.

1. Petition against the withholding his T.A. & D. of Rs 2-15-4 from 2-2-34 to 4-2-1934.
2. Petition against the withholding of his pay for 23-5-1934.
3. Petition against the D. F. O's order treating the petitioner's absence from 24-10-1933 to 3-11-1933 as leave without pay.
4. Petition against the disallowance of his T.A. for the journey alleged to have been made from Udipi to Karhal on 24-11-1933.
5. Petition against the order of the D. F. O. limiting the petitioner's claim to T.A. to Rs 2-4-0 against

Vide P. 58 of

P.P. 4-8 of

P.P. 19-22 of

Memorandum No 38-39 of

P.P. 40-43 of

P.P. 44-46 of

P.P. 47-49 of

235

As 17-4-0 as claimed by him

Petitions nos 3 to 5 have been submitted through the proper channel. The connected records & the C.C.'s ^①reminders have been received in respect of them. Petitions nos 1 & 2 have been submitted direct to Govt and to C.C. reports that copies of such petitions have ~~not~~ been received by him. The connected records have not, therefore, been received.

Submitted that it seems better that all the petitions ^{should} be considered together and a consolidated order passed on all the requests of the petitioner. In the reminder petition dated 22.12.1936, the petitioner makes mention of about five petitions and requests early orders. Petitions nos 1 & 2 may therefore be sent to the P.F. for report with the connected records. A draft ^{G.O.} ~~order~~ is submitted for approval.

P.P. 58-59 of

P.P. 4-8 and 19-22 of

The petitions are appeals against the orders of the D.A. The petitioner appealed to the Conservator and Chief Conservator who declined to interfere. ~~That~~ He has no right of appeal to Govt. Further, the matters relating to the appeals are all minor ones and it is for orders whether the Govt.

OD 26/b

Should examine them on their merits. At this rate there will be no merit to appeals. Or order whether the petitioner may be informed that Govt. decline to interfere.

The petitions all relate to petty claims of pay and allowances of a nature. The petitioners had appealed to the Conservator and the Chief Conservator in all these cases of the D.O.'s orders and it does not appear that any injustice will be caused if further representation, which ~~has not been taken into consideration~~ will take an undue proportion of his is withheld from him.

The petitions may be rejected for orders

Per
28636 S

Cir
30-6-36

and
12/5/36

H.H. C4

On the face of it there are no grounds for interference in regard to pet. I or pet. II. I have perused the records relating to the cases specified at pp 38-39 of. & they disclose no

DRAFT FOR APPROVAL.

C.F. 10.

Dev. Dept.

Date. Initials.

SUBJECT:—

When received for fair copying —

When copied —

When examined..

When signed —

When despatched.

Forests

Petitions — M. J. Mohammad Sahib

— ex Forest Guard — Mangalore

North Division — rejected.

READ AGAIN —, dated 19

READ ALSO:—

No. 10814 From the Petitioner

G. M. C. C. F.

No. —, dated 28-2-1936

10814/36 16-3-36 P. 374

" From the C. C. F.

G. M. C. C. F.

" 2486/36-02, 29-4-1936 P. 38-49

10814/36-2 19-5-36 P. 564

" From the "

" 2486/36-02, 4-6-1936 P. 574

Order Ms. No. 1123, dated 11-7-1936

Resolution Rout.

Received from Muhammad

Sahib dated 30-12-35,

28-2-1936, 5-5-36 and

22-5-1936 are rejected

RR

24903 4-8-36

Cia

air

6-7-36.

P.P. 19-22-36

87-86

P.P. 40-43-4

P.P. 44-46-4

P.P. 47-49-4

The petitions read above

are appeals against the orders

of the D.F.O. Mangalore North in

rejection of

(1) with holding the petitioner's T.A. and

D.A. of Rs 2-15-4 from 2-2-34 to 2-2-34

(2) with holding of his pay for 23-5-34.

(3) treating his absence from 24-10-33

to 3-11-33 as leave without pay

(4) disallowing his T.A. for the journey

from Udipi to Karikal on 24-11-1933; &

(5) limiting his claim to T.A. to Rs 2-9-0

against Rs 17-4-0 as claimed by him.

The Govt. have carefully considered

the petitions with the connected

records in respect of items (3) to (5) above

and see no reason to interfere
All the five petitions are rejected

7/3/36.

Dr. *Swathine*
DEPT. *13/7/36*
Date *1936*

To The ~~petitioner~~
(M. J. Mohammad Sahib
Ex. Front guard
Bailant
Bailor Branch Post office
Kathal Taluk
S. Kanara Dt.
with ~~the~~ *CP* *ret'd*.
C.C.F. with the records *ret'd*
as per *CP* *239*

- ① pp 9-18 CP
- 23-36 CP
- 52-53 CP

438 1123 2576 50
 9. 6 1123 36 9 0 Recd 2576 50
 Dep. 2732-1
 24.6.36



C. R. B.

Please attach this to the

Encl 5 to 6

Dev. Dept.

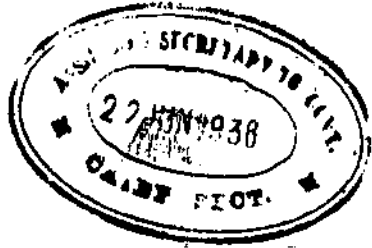
22/6/36

The Government of Madras
 Madras.

Humble appellant M. J. Mohammed
 Sahib, Ex. Inst. Guard Shankaranagar
 Range, Mangalore North Division, residing
 at Bailu Kasaba, Bailu branch, P. O.
 Karkal Taluk, Cank. Kanara District.
 Dated: 18-6-1936

Most Respectfully Sheweth:

I most humbly beg to Remind, Sir
 an Reminder dated 22-5-1936 has been submitted through
 the Chief Conservator of Forests, Madras, registered
 Post on 22-5-1936, which I hope might have
 received by this time. But no favorable orders
 on (them) are yet seen passed, which may kindly be
 considered and disposed at an early date. If the
 Government of Madras please to kill this
 appellant, kill with reasonable justice
 with no partiality, according to M. J. A. and
 Fundamental Rules which are in force.
 I solicit an early favorable orders on my
 five appeals submitted to the Government
 of Madras, through the District. And this
 Mangalore North and direct in the respect
 of reasonable J. A. etc not paid as mentioned
 in the margin of the Reminder of 22-5-1936.



Appellant

Dated 18-6-1936